

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

ALBERTO WILLIAM VILAR and
GARY ALAN TANAKA,

Defendants.

No. 05 Crim. 621 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

The Clerk of the Court is respectfully directed to docket the attached letter.

Dated: January 4, 2010
New York, New York



RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE

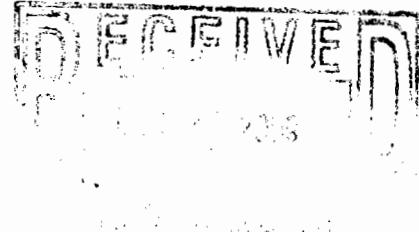
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December 29, 2009

The Honorable Richard J. Sullivan
 U.S. District Court
 Southern District of New York
 500 Pearl Street
 New York, NY 10007



Re: Alberto Vilar

Dear Judge Sullivan:

I met Alberto Vilar in 1998 in Washington, Pennsylvania at Washington & Jefferson College. Alberto was a member of the Washington & Jefferson College Board of Trustees. He had been considering funding for the Howard Burnett Center for Business and Economics. Howard Burnett was then the President of Washington & Jefferson College. We were the architects for the project. Alberto decided that it was his choice to fund a new project, the Vilar Center for Technology, including not only the building, but a new academic program for the College. Our firm, MacLachlan, Cornelius & Filoni Architects, were selected to be the architects for the facility. I was the principal in charge.

From our very first meeting it became clear that Alberto was interested not only in creating a wonderful statement of architecture, completely compatible with the environmental and architectural context of the College, but also in creating a place in which young people could learn. He was obviously very proud and thankful for what Washington & Jefferson College and the world of technology had done for him and he wanted to share that experience with particularly the students.

It is well known that Alberto has an incredible passion for the knowledge of opera. His generosity to opera around the world is legendary. Not only did he support opera companies, but singers, conductors, and complete productions of less popular operas that he believed to be important and in need of attention.

At Washington & Jefferson College he initiated and funded a musical series bringing artists like Rene Fleming, Jessye Norman, and Lorin Maazel to this small liberal arts college in Western Pennsylvania, making it possible for not only the students, but residents of the region, to hear these incomparable artists at very modest cost.

Perhaps because I share his passion for the arts, particularly architecture and opera, and our firm is dedicated to working with liberal arts colleges, Alberto would on occasion invite me to come to New York City to share the opening of an opera production or simply attend an event at his apartment for someone like his friend Isaac Perlman.

Clearly, out of my league economically, Alberto and I developed a respect for each other that has continued throughout this terrible experience of his.

The public side of Alberto hides a separate and little known side of his, one that I never heard him brag or talk about. He sent his barber's son and others to college, bought his housekeeper an apartment in New York City, bought his personal architect an apartment in London, and on and on and on. On the way to Laguardia Airport, I talked with his driver about Alberto. He said he had driven for him for many years now and found him to be a very, very "nice" man. "He was always kind and generous."

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I know very little of the "charges" of which Alberto is accused. I talked with him a few days after his guilty verdict and found him overwhelmed and confused, convinced that "something had gone very, very wrong." He was clearly in a state of shock and total disbelief. He kept saying, "No one lost any money."

Alberto had been under house arrest for I believe nearly three years before his trial, which was constantly postponed, and has now been incarcerated for a year as a "flight risk!" He refused to settle because he believed he had done nothing wrong -- an act of courage against formidable odds not often seen today.

In all the years that I have known Alberto, he has always been a very quiet and reserved person; he has always behaved honorably and been generous to a fault. His mission has been to support, particularly opera, all the arts, education, and young people. He is not a greedy, pompous, self-centered, selfish individual -- he is no flight risk. He remains a devout Catholic. He is about as opposite from a Bernie Madoff as it is possible to imagine.

It is ironic that there is an opera that in some ways parallels Alberto's situation. Kurt Weil's *Rise and Fall of the City of Mahagonny*. The lead character, Jake, has a lot of money, a lot of "friends" and is very generous in sharing his wealth with everyone. He loses all of his money, owes many debts, and his "friends" find him guilty, sentence him to death, and no matter how many times I see it, unbelievably, hang him. You just sit there and ask, "How could things go so wrong?" How can an inherently good person be treated in this way?

It is my great fear that Alberto finds himself in this situation. I have always believed that we must accept the consequences of our actions. I don't know of what Alberto has been found guilty, but, I am sure that it can in no way involve planned malice or harm to anyone. His way of life has pretty much been destroyed. He has been humiliated, lost just about everything, and has been abandoned by most of those to whom he was so generous. Has he not endured enough?

Sincerely,

MacLachlan, Cornelius & Filoni, Inc.



Albert L. Filoni
President